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October 1, 2020

BY ECF

Hon. Ona T. Wang
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

MEMO ENDORSED

Re: Rasheen Smith v. City of New York, et.al.
18-CV-5079 (MKV) (OTW)

Your Honor:

I am an Assistant Corporation Counsel in the Office of James E. Johnson, Corporation Counsel of the City of New York, representing Defendants City of New York, Police Officer Fernando Avalos, and Police Officer Daniel Alexis (“defendants”) in the above-referenced matter. Defendants write, with consent of plaintiff’s counsel, Anthony Ofodile, Esq., to respectfully request an adjournment of the pre-settlement conference scheduling call currently scheduled for October 1, 2020 to a later date in October 2020 or such other time as is convenient to the Court.¹ (ECF No. 50). This is the defendants’ first request for an adjournment of the pre-settlement conference scheduling call and would not require that any other deadlines be rescheduled.

By way of background, plaintiff filed the complaint in this action on June 7, 2018, alleging, *inter alia*, therein that, on January 15, 2017, members of the New York City Police Department subjected him to excessive force and falsely arrested him in the vicinity of 2115 Ryer Avenue in the County of Bronx. Pursuant to Your Honor’s Order, the parties are scheduled to appear later today for a pre-settlement conference scheduling call. However, the undersigned was previously scheduled to participate in a settlement conference before Judge Steward D. Aaron in the matter of Germain Ismael v. City of New York, et al., 18-CV-3957 and the two events will most likely overlap.

Accordingly, defendants respectfully request, with the consent of plaintiff’s counsel, that the pre-settlement conference scheduling call be adjourned to a later date in October 2020 or such other time as is convenient to the Court.

¹ October 14th; the afternoon of October 15th; October 16; October 20th-October 21st are all dates that work for both parties.

Thank you for your consideration herein.

Respectfully submitted,

/s/ Nicholas L. Collins

Nicholas L. Collins
Assistant Corporation Counsel
Special Federal Litigation Division

cc: **BY ECF**
Anthony Chukwuka Ofodile
Attorney for Plaintiff

Application Granted.

The pre-settlement call scheduled for 10/1/20 is adjourned to 10/15/20 at 12:30 p.m. The call-in number is 866-390-1828 and the access code is 1582687. An additional security code will be emailed to the parties before the call.

SO ORDERED.



Ona T. Wang
U.S. Magistrate Judge

10/1/2020